

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
YURMAN STUDIO, INC. and YURMAN
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.
----- X
----- X

Civil Action No. 07-1241 (SAS)(HP)
(Action No. 1)

CARTIER, a division of RICHEMONT NORTH
AMERICA, INC., CARTIER INTERNATIONAL,
N.V., CARTIER CREATION STUDIO, S.A., VAN
CLEEF & ARPELS S.A., VAN CLEEF &
ARPELS, INC., VAN CLEEF & ARPELS
DISTRIBUTION, INC., GUCCI AMERICA, INC.,
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants.
----- X

Civil Action No. 07-7862 (SAS)(HP)
(Action No. 2)

**DECLARATION OF DAVID YURMAN IN SUPPORT OF
YURMAN STUDIO, INC.'S AND YURMAN DESIGN, INC.'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

EXHIBIT A



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

FORM VA

For a Work of the Visual Arts
 UNITED STATES COPYRIGHT OFFICE

REGI

VA 771-476



#146300771476

EFFECTIVE DATE OF REGISTRATION

FEB 02 1999

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

Bracelet B06195

NATURE OF THIS WORK ▼ See instructions

Jewelry Design

PREVIOUS OR ALTERNATIVE TITLES ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

2 NAME OF AUTHOR ▼

a David Yurman

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

1942

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

Author's Nationality or Domicile Name of Country

OR { Citizen of ► U.S.A.

Domiciled in ►

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☒ Jewelry design

☐ Architectural work

3 NAME OF AUTHOR ▼

b

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

Author's Nationality or Domicile Name of Country

OR { Citizen of ►

Domiciled in ►

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

4 Year in Which Creation of This Work Was Completed

a 1995

This information must be given in all cases.

Date and Nation of First Publication of This Particular Work

b Complete this information ONLY if this work has been published.

USA

Month ► December

Day ► 20

Year ► 1995

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Yurman Studio, Inc.
 501 Madison Avenue
 New York, NY 10022

Transfer if the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

Assignment from David Yurman

APPLICATION RECEIVED

FEB 02 1999

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FEB 02 1999

FUNDS RECEIVED

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
 • See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY Vg FORM VA

CHECKED BY

☒ CORRESPONDENCE

Yes

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OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a

6

See instructions
before completing
this space.

b

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

a

7

b

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Joseph N. Zarro, Esq.

Sidley & Austin

875 Third Avenue

New York, New York 10022

Area code and daytime telephone number ▶ (212) 906-2367

Fax number ▶

(212) 906-2021

Email ▶

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s) Yurman Studio, Inc.☒ authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) A

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Joseph N. Zarro

Date ▶ 1-28-99

Handwritten signature (X) ▼

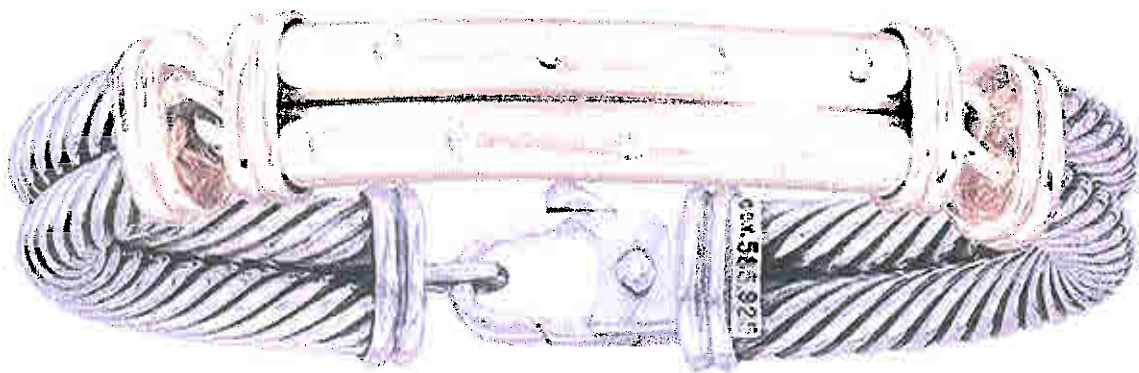
X Joseph N. Zarro

9

Mail
certificate
to:Certificate
will be
mailed in
window
envelope

Name ▼	Joseph N. Zarro *Xuan-Thao N. Nguyen
	Sidley & Austin *RICHARD CASMAN SHERMAN & FLYNN
Number/Street/Apt ▼	*410 Park Ave.
	875 Third Avenue
City/State/ZIP ▼	*N.Y., N.Y. 10022-4441
	New York, New York 10022

• Complete all necessary spaces
• Sign your application in space 81. Application form
2. Nonrefundable \$20 filing fee in check or money
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David Yurman Inspired Replica Sterling Silver 2-Row Rope Bracelet

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MATERIALS

Sterling Silver & CZ
Gold Jewelry
Pearls
Diamond Jewelry
Gemstone Jewelry
Turquoise Jewelry



OTHER VIEWS:



Click to enlarge

Left: Side view of bracelet. Right: Front view of bracelet.



Click to enlarge

DESCRIPTION:

This is inspired by David Yurman from the Classic Cable Collection. It has a double 5mm cable made of solid 925 sterling silver and opens with a spring hinge for a great fit. FREE ground shipping on this item.

Measures: Cable diameter is 5mm. Outer circumference of bracelet is 8.5 inches.

Weight: Weight is 36 grams.

Material: .925 Sterling Silver Mexican

Category: silver bracelet

All measurements are approximate. Designer mentioned does not make this item. Please read our [disclaimer](#).

CUSTOMER REVIEWS:

This is one of the best on-line merchants I have ever dealt with. They give personalized service ... respond quickly to emails ... have a good selection that is very reasonably priced ... and sell quality items that are really good knock offs of designer jewelry. I've bought from them several times and

Availability: **In Stock**
Order Now & Ships: **Fri, Feb 16**
Item #: Zan-B614-2
List Price: \$389.99

Our Price: \$159.99

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Sterling Silver Metro Ring
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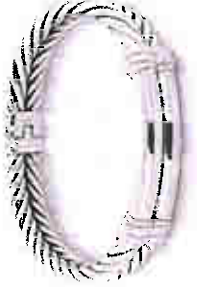


David Yurman Inspired Bo
Link Chain Necklace
\$19.99



Inspired By David Yurman
Jewelry Imitation Cushion
Gemstone Pendant MORE

The Yurman Copyrighted Designs & The Overstock Jeweler Infringing Products

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